

REMARKS/ARGUMENTS

Status of the Application

Before this Amendment, claims 1-7 were present for examination, and claims 8-22 were withdrawn. A Final Office Action mailed November 25, 2005 (Final Office Action) rejected claims 1-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,631,849 ("Blossom") in view of U.S. Patent No. 5,839,117 ("Cameron") and U.S. Patent No. 5,930,764 ("Melchione").

A Decision on Appeal (the "Decision") of the Board of Patent Appeals and Interferences (the "Board") in Appeal No. 2007-2451, dated July 17, 2007, sustained the rejection. A Request for Continued Examination is filed concurrently herewith.

Claim 1 is amended, and new claims 23-29 are added. Hence, after entry of this amendment, claims 1-7 and 23-29 will be present for examination. Claim 1 is the independent claim. No new matter is added by these amendments, as support is found in the Specification (Original Application, p. 12, l. 17-p. 13, l. 18, p. 14, ll. 23-32). Applicant respectfully requests reconsideration of this application as amended.

§ 103 Rejections

The Final Office Action rejected claims 1-7 under § 103(a) as unpatentable over Blossom in view of Cameron and Melchione.

Applicant asserts that limitations from the claims are neither taught or suggested in the cited references. The cited references fail to teach or suggest that the generated request includes "a first maximum amount that may be applied to the credit account, the first maximum amount less than the cost of the transaction," as set forth in claim 1. Nor do the cited references teach or suggest displaying the request at the point-of-sale device, as recited in claim 1. Moreover, claims 23-29 also include additional limitations not taught or suggested in the cited art.

Applicant respectfully submits that the specified limitations in independent claim 1 is allowable for at least the foregoing reasons. Claims 2-7 and 23-29 each depend from these independent claims, and are believed allowable for at least the same reasons as given above. Applicants, therefore, respectfully request that the §103(a) rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Michael L. Drapkin
Reg. No. 55,127

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
Attachment
MLD:sk
81112708 v1